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DEPARTMENT FOR WHA/CEN
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E.O. 12958: DECL: 06/08/2016

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SUBJECT: POSSIBLE CONSEQUENCES OF NORIEGA'S RETURN TO PANAMA

REF: PANAMA 0919

Classified By: AMBASSADOR WILLIAM EATON FOR REASONS 1.4 (B) AND (D).

SUMMARY

¶1. (C) As Manuel Noriega's fall 2007 release from prison draws closer, Embassy consensus is that Noriega's extradition to Panama could lead to political instability and unrest. Alternatively, his extradition to France may actually further U.S. relations with the GOP, although the USG will need a public relations strategy to counter negative public reaction. END SUMMARY.

Consequences of Noriega's extradition to Panama

¶2. (C) The likely fallout from Noriega's extradition to Panama is political turmoil. The GOP would face opposing pressures: from the Panamanian people and international community to handle the case properly and from former Noriega cronies who are now part of the government and in a position to help their former boss. (See Reftel.) Noriega's reappearance could polarize the country by opening old wounds within the society. The infighting and unrest within the PRD could be extremely divisive and destabilizing. At best, Noriega's presence here would be an enormous and possibly costly distraction.

¶3. (C) If Noriega returned to Panama, he could also regain access to his suspected stash of money and other resources. Authorities recovered only a fraction of his alleged wealth upon his arrest, and the potential implications of Noriega's refound financial power are troubling. With access to his funds restored, Noriega could pay for an expensive defense, potentially bribe his way free, or bankroll activities to support his former allies or create further mischief.

¶4. (C) Further, the Panamanian judicial system may lack the maturity and good governance to handle such a case. Negative consequences from potential malfeasance or corruption in the judicial process would be further divisions and unrest. Those most likely to benefit from instability are the radical trade unionists who could use Noriega's extradition as a chance to advocate violence and fuel their anti-U.S. rhetoric.

GOP distancing itself from Noriega case

¶5. (C) Given the volatile nature of the Noriega case, the GOP does not want him to return to Panama. Its hands full with the Canal expansion referendum and other issues, the GOP lacks the time, resources, and political will to deal with a huge distraction like Noriega's potential extradition that would divert media and public attention for months from its preferred projects. Nor does the GOP want to face the resulting public scrutiny over its handling of the proceedings or the costs.

¶6. (C) On the other hand, the GOP cannot admit its reluctance now that the public is aware of the previous extradition requests. President Torrijos has repeatedly said the Noriega case is a judicial and not a political issue, effectively giving judicial authorities the lead on the case and washing the GOP's hands of the matter. When asked about the case in a March 2006 radio interview, Torrijos refused to discuss the Noriega extradition beyond repeating that "this is a judicial issue" and that it was up to the judicial branch to decide what to do.

What do the Panamanian people want?

¶7. (SBU) The general public apparently does not have strong feelings on the case, although the majority of Panamanians probably want Noriega to face justice in Panama. That majority includes those directly affected by the Noriega dictatorship, human rights activists, and civil society groups. A May 2006 Cid-Gallup poll showed 76% of respondents wanted Noriega judged in Panama, while 13% wanted him pardoned and 11% did not have an opinion. Because the French extradition request is not public knowledge, the poll did not measure willingness to have Noriega judged by a third country. However, the preference to have Noriega judged in Panama is tempered by the public's mistrust of the Panamanian justice system.

If Noriega Goes to France

¶8. (C) If Noriega is extradited to France, the U.S. would face public criticism in Panama. Noriega's extradition to another country would be a clear vote of no confidence in the Panamanian judicial system. While this could serve as a positive shock to the system, it will also prompt backlash.

¶9. (C) The GOP would echo any such outcry in public, but privately would be very relieved. Noriega's extradition to France would give the GOP a convenient "out" by allowing it to maintain the public pretense of pushing for the extradition without having to suffer its consequences. A U.S. decision for France is the most face-saving option for the GOP and could help improve bilateral relations in the long run.

¶10. (C) Embassy believes that it would be best to inform the GOP once a decision on Noriega's extradition is close to being finalized. This would also require local consultations with the French. On the public level, the U.S. would have to be prepared to explain how Noriega's extradition to France would serve the interests of justice.

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